

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KATHRYN MARIE SEIDLER,

Plaintiff,

v.

AMAZON,

Defendant.

CASE NO. C23-0816JLR

ORDER

Before the court is Defendant Amazon.com Services LLC's ("Amazon") motion to strike *pro se* Plaintiff Kathryn Seidler's amended complaint. (Mot. (Dkt. # 12); *see also* Am. Compl. (Dkt. # 11).) Although the motion is noted for October 27, 2023 (*see* Dkt.), the court exercises its discretion under Federal Rule of Civil Procedure 1 to decide the motion before the noting date. *See* Fed. R. Civ. P. 1 (stating that the Federal Rules of Civil Procedure should be construed "to secure the just, speedy, and inexpensive resolution of every action and proceeding"). Having reviewed the motion, the relevant

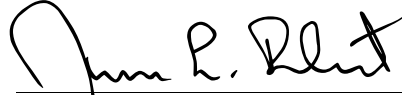
1 portions of the record, and the governing law, the court GRANTS Amazon's motion to  
2 strike Ms. Seidler's amended complaint.

3 Ms. Seidler filed this action on May 30, 2023. (*See generally* Compl. (Dkt. # 1).)  
4 Amazon was served with a summons and copy of the complaint on August 28, 2023.  
5 (Affidavit (Dkt. # 8).) On September 13, 2023, Amazon moved to dismiss the entirety of  
6 Ms. Seidler's complaint for failure to state a claim upon which relief can be granted  
7 pursuant to Federal Rule of Civil Procedure 12(b)(6). (*See generally* Mot. to Dismiss  
8 (Dkt. # 10).) Though Ms. Seidler filed no response to that motion (*see generally* Dkt.),  
9 on October 6, 2023, Ms. Seidler filed an Amended Complaint. (*See generally* Am.  
10 Compl.)

11 Federal Rule of Civil Procedure 15(a)(1) permits a plaintiff to amend her  
12 complaint once as a matter of course either within "21 days after serving it" or, "if the  
13 pleading is one to which a responsive pleading is required, 21 days after service of a  
14 responsive pleading or 21 says after service of a motion under Rule 12(b), . . . whichever  
15 is earlier." Fed. R. Civ. P. 15(a)(1)(A)-(B). Here, Ms. Seidler filed her amended  
16 complaint more than 21 days after effectuating service on Amazon. Fed. R. Civ. P.  
17 15(a)(1)(A). And because Amazon filed and served its motion to dismiss on September  
18 13, 2023, the deadline for Ms. Seidler to file an amended complaint pursuant to Rule  
19 15(a)(1)(B) would have been October 4, 2023. The court concludes that Ms. Seidler  
20 failed to comply with the time requirements of Rule 15(a)(1) in filing her amended  
21 complaint on October 6, 2023.  
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1 For these reasons, the court GRANTS Amazon's motion to strike Ms. Seidler's  
2 amended complaint (Dkt. # 12).

3 Dated this 10th day of October.

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5 JAMES L. ROBART  
6 United States District Judge  
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